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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,424	01/05/2006	Ryuichi Oota	018775-968	4503
21839	7590	01/02/2008	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC			NICHOLSON III, LESLIE AUGUST	
POST OFFICE BOX 1404			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22313-1404			3651	
NOTIFICATION DATE		DELIVERY MODE		
01/02/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/563,424	OOTA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Leslie A. Nicholson III	3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 January 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 and 18-20 is/are rejected.
- 7) Claim(s) 13-17 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 January 2006 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date <u>1/5/2006</u>	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-11,19,20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kitamura JP 2001232700.

Kitamura discloses a paper sheet processing device comprising:

- A device body (10) provided with processing type detecting means (abstract)
- Carrier means (20-27)
- Carrier driving means (inherent, if not disclosed)
- Processing device parts (32,30,36,38), installed in a carrying route formed of said carrier means (fig.1) detachably from said device body
- Processing drive means (inherent, if not disclosed)
- Said processing device is a first type processing device part, which is cutting means (30-38), having processing means and moving means (abstract)

- Said processing device is a second type processing device part, which is cutting means (30-38) having processing means and moving means (abstract)
- Wherein said cutting means having multiple rotary blades arranged at predetermined intervals in the width direction (fig.1,2)
- Position control means (100) (abstract)
- Processing control means (100) (abstract)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura JP 2001232700 in view of Tamura PGPub 2003/0215275.

Kitamura discloses all the limitations of the claim, but does not expressly disclose cutting waste elimination means, moving means, or movement control means.

Tamura teaches cutting waste elimination means (18), moving means (22), and movement control means (¶0133-0134) for the purpose of allowing scraps to be dealt with only at the operation side (¶0013).

At the time of invention it would have been obvious to one having ordinary skill in the art to employ cutting waste elimination means, moving means, and movement

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control means, as taught by Tamura, in the device of Kitamura, for the purpose of allowing scraps to be dealt with only at the operation side.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura JP 2001232700 in view of Schroader USP 6,131,723.

Kitamura discloses all the limitations of the claim and further discloses a paper feeding device part comprising feeding means (12), but does not expressly disclose oblique carrier means.

Schroader teaches oblique carrier means (fig.12) for the purpose of aligning conveyed products prior to processing.

At the time of invention it would have been obvious to one having ordinary skill in the art to employ oblique carrier means, as taught by Schroader, in the device of Kitamura, for the purpose of aligning conveyed products prior to processing.

#### ***Allowable Subject Matter***

7. Claims 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie A. Nicholson III whose telephone number is 571-272-5487. The examiner can normally be reached on M-F, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

L.N.  
10/1/2007



LESLIE A. NICHOLSON III  
EXAMINER  
ART UNIT 3651